

10/17/05 - Monday, October 17, 2005

CITY OF EAU CLAIRE

PLAN COMMISSION MINUTES

Meeting of October 17, 2005

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Levandowski, Waedt, Duax, Tappen, FitzGerald, Ms. Jensen, Ms. Kincaid

Staff Present: Messrs. Tufte, Reiter, Genskow

The meeting was chaired by Mr. Levandowski.

1. **CONDITIONAL USE PERMIT (CZ-0530) “ Conversion to Duplex, 610 Erin Street**

Mr. Tufte noted this item was tabled from October 3, 2005 to allow for comment from the Neighborhood Association and to further check on the size of the structure. Mr. Tufte referred to the letter from the Neighborhood Association in opposition to the conversion, and the City Assessor has listed the property as having 1,951 square feet.

Lee Kou Her presented a request to allow the conversion of a single-family residence at 610 Erin Street to a duplex. Mr. Chang Lo translated. After the item was tabled from the previous Plan Commission, they researched the ability to enclose the rear porch to make it a habitable portion of the house. They testified that the rear porch contains 78 square feet, which would exceed the 49 square feet the property is short of 2,000. They would provide heating to the space and two entrance doors.

No one appeared in opposition.

Mr. Duax commented on the ambiguous language of the ordinance in that it appeared the property had to have already 2,000 sq. ft. since 1980. Mr. Tufte responded that the purpose of the permit is to allow an economic use of older larger buildings which are often on smaller lots.

Mr. Tappen stated that they did not comply with three points required by the ordinance. It didn't comply with the adopted neighborhood plan to maintain or reduce densities, the property does not have at least 2,000 square feet, and the lot does not present any unusual characteristics because it is the same size as all other surrounding lots.

Ms. Kincaid moved to grant the request with the condition that the applicant must enclose the back porch and add 78 square feet of livable space. Mr. Waedt seconded and the motion failed unanimously.

2. **CONDITIONAL USE PERMIT (CZ-0531) “ Garage, 115 E. Truman Avenue**

Thomas and Susan Neniger have submitted a request to allow a detached garage in excess of accessory use standards for height at 115 E. Truman Avenue. The proposed garage is 20' x 24' in size and 18'8½" in height. The homes in the area are similar with detached garages. The roofline will match the house.

No one appeared in opposition.

Mr. Waedt moved to approve the request. Mr. FitzGerald seconded and the motion carried.

3. **PRELIMINARY PLAT (P-19-05) “ Moundview Estates, Town of Wheaton**

Kim and Gregg Gillett have submitted the preliminary plat for Moundview Estates located at the northeast corner of 30th Avenue and 30th Street in the Town of Wheaton. The plat creates 12 lots that are 5 acres in size or larger. The property is just

within the City™s three-mile review area. The plat was submitted on September 26 and is thereby reviewed under the 1993 Comprehensive Plan.

Mr. Duax moved to approve the plat. Mr. Waedt seconded and the motion carried.

4. **PRELIMINARY PLAT (P-20-05) “ Huntsinger Heights, Town of Brunswick**

Huntsinger Farms, Inc., has submitted the preliminary plat of Huntsinger Height located east of Hwy. 37 on CTH B in the Town of Brunswick. The plat creates 28 lots which are 1.5 acres in size or larger and will be served with private septic system. The plat was submitted on September 23, 2005 and is reviewed under the 1993 Comprehensive Plan.

Scott Kramer, surveyor, appeared in support and explained the long history needed to subdivide the property. The land has very sandy soils and was not good for farming. The County is requiring 100% runoff water infiltration from the plat.

Mr. FitzGerald moved to approve the plat. Mr. Duax seconded and the motion carried.

5. **SITE PLAN (SP-0560) “ Outback Steakhouse, Commonwealth Avenue**

Ayres Associates has submitted a site plan for Outback Steakhouse to be located at the northwest corner of Keystone Crossing and Commonwealth Avenue. The site plan shows a 60™ x 84™ building with 125 parking stalls. Site access is via curb cuts to Keystone Crossing and Commonwealth Avenue.

These driveways are designed to provide access to future commercial development to the west and north.

Disa Wahlstrand, Ayres Associates, appeared in support and stated they will provide a revised landscape plan with fixed horizontal lighting.

Mr. Waedt moved to approve the site plan with the conditions listed in the staff report with fixed horizontal lighting. Mr. Duax seconded and the motion carried.

Mr. FitzGerald left the Commission seat.

6. **SITE PLAN (SP-0561) “ Duplex, Chumas Drive**

Fairfax Meadows, Inc., has submitted a site plan for a duplex to be located at the southwest corner of Chumas Drive and Hester Street. The site plan notes split double garages for parking. The front elevation shows doors, windows, a porch, and part brick siding for the garages.

Mr. David FitzGerald, Fairfax Meadows, appeared in support. He commented that he spent much time researching split entryway duplexes. A difficulty was keeping the duplex structure on the mid property line. Turning an entrance toward Hester Street was considered but it was too difficult to make the rooflines work.

Ms. Kincaid moved to approve the site plan with the conditions listed in the staff report. Mr. Waedt seconded and the motion carried.

Mr. FitzGerald rejoined the Commission.

7. **SITE PLAN (SP-0562) “ Duplex, Zephyr Hill Avenue**

Matt Gundry has submitted a site plan for a duplex located on the east side of Zephyr Hill Avenue, north of Trindal Street. The lot has existed prior to the 20% slope standards were created. The building encroaches on the toe slope of the hill and results in a 4™ retaining wall to the rear of the building.

Matt Gundry appeared in support. He stated that he could move the side door entrance so that it faces the front. There will be 10™ between the back of the duplex and the back yard wall. There will be over 2,000 square feet of flat area to the south of the building for yard area.

Mr. Duax moved to approve the site plan with the conditions listed in the staff report adding two conditions that the owner develop yard space to the south for staff approval and the north entrance be turned to face the front with a porch area. Mr. Tappen seconded and the motion carried.

8. **SITE PLAN (SP-0563) “ Duplex, Sun Rae Mesa**

Asher Enterprises, Inc., has submitted a site plan for a duplex located on the north side of White Oak Lane, east of West Ridge Drive. The site plan shows double garages for the required parking.

Chad Asher spoke in support. He noted that the front doors will have half windows.

Mr. Waedt moved to approve the site plan. Ms. Kincaid seconded and the motion carried.

9. **SITE PLAN (SP-0564) “ Parking Lot, McDonalds Restaurant**

TEC Design has submitted a site plan for an addition to McDonald™s parking lot on Gateway Drive. The site plan shows adding 23 parking stalls to the south with a new 36™ wide driveway to Gateway Drive. The City Engineer believes the wider driveway is warranted due to traffic safety concerns for proper vision to exit the site. He may also consider stripping Gateway Drive if the width and traffic warrant.

Tim Pabich, contractor, appeared in support.

Mr. Tappen moved to approve the site plan with the conditions listed in the staff report. Mr. FitzGerald seconded and the motion carried.

10. **SITE PLAN (SP-0552) “ Office, Oakwood Hills Parkway**

Bob Johnson has submitted a site plan for an office building for Valuation Specialists located on the west side of Oakwood Hills Parkway, south of Damon Street. The site plan shows a 3,990 square foot building with parking for 22 vehicles. A proposed 3-stall garage is also shown to the rear of the property.

Mr. Jeff White, Lowes Creek Road, appeared in support.

Mr. Tappen moved to approve the site plan with the conditions listed in the staff report. Mr. Waedt seconded and the motion carried.

11. **DISCUSSION**

A. Buffington Museum/Thread Bear, 1500 State Street

Mr. Tufte explained that the Plan Commission had requested letters from the neighbors and the neighborhood association concerning the operation of the conditional use at 1500 State Street. Mr. Levandowski commented on the screening trees to the west and explained that the City Forester had visited the site and noted that transplanted trees often take several years to restore the root ball then begin to add green growth at faster rates and that these trees should be growing more rapidly next year.

Mr. Duax commented that the use preserves the structure for the history of the City.

Ms. Jensen responded that the letter of the conditional use permit was followed, but not the spirit, and objected to the use being called a museum when it is a retail store with items for sale throughout, including hallways and bathrooms.

Ms. Jensen moved that the staff be directed to inspect and report on the use of the property. Ms. Kincaid seconded and the motion carried.

B. Landmark Designation, 1011 5th Avenue

The Landmarks Commission will be considering the designation of 1011 5th Avenue as a landmark on November 7, 2005. There were no comments from the Commission.

C. Lot Coverage Paving Standards

Mr. Tufte reviewed possible changes to the City™s residential off-street parking standards and particularly the front yard paving restrictions. These are now reviewed by the Zoning Administrator, but could be approved by the Plan Commission. The Commission commented that some standards for approval should be added to the ordinance. Mr. Duax felt approval by standards should still be performed by staff, with a possible appeal to the Plan Commission. Mr. Tufte also supplied information from other cities on percentage of lot that can be paved. Currently Eau Claire has no such limit. The Commission suggested a percentage of lot as a more appropriate method. Lastly, the Commission did not see the need to review new parking lots which were required, but may review lots which provide more than the required parking in residential areas. Staff will return with more suggestions and possible ordinance changes.

D. Land Use /Zoning “ Seymour Road Area

Mr. Duax stated that he requested this information because of the number of mixed-land uses in this area along Seymour Road, Malden Street, and Birch Street. Mr. Tufte noted that there are 11 legal nonconforming land uses in the area and several vacant areas and parcels. There is a mixture of commercial, single-family, multiple-family, and mobile home parks in the area. Mr. Duax felt that some neighborhood plan would be beneficial to this area and, in particular, to guide the development of the vacant land which is zoned temporary. Mr. Tufte responded that zoning vacant land without a development plan reduces the Plan Commission control over development. Currently, temporary zoning stops all uses until a public hearing on zoning is held. Other commissioners commented in favor of an area study. Mr. Tufte noted that the City already has three neighborhood areas waiting for their plans.

MINUTES

The minutes of the meeting of October 3, 2005 were approved.

Laura Jensen, Secretary